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IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

ALICIA WASHINGTON

PLAINTIFF

V

CAUSE NO.:

21-229

VEOLIA WATER NORTH AMERICA OPERATING
SERVICES, LLC, AND JOHN AND JANE DOES 1-10

DEFENDANTS

COMPLAINT

JURY TRIAL DEMANDED

COMES NOW, the Plaintiff, ALICIA WASHINGTON, and files this her Complaint against Veolia Water North America Operating Services, LLC, and John and Jane Does 1-10 to recover back wages, front pay or reinstatement, compensatory damages, punitive damages, costs and attorney's fees and any other relief to which he may be entitled and in support of this claim he states as follows:

PARTIES

1. The Plaintiff, ALICIA WASHINGTON, is an adult resident citizen of the state of Mississippi. She may be served with process at her Attorneys' offices. The address is below.

2. The Defendant, Veolia Water North America Operating Services, LLC, is a foreign corporation, doing business in the state of Mississippi.

3. Veolia Water North America Operating Services, LLC, may be served with process by serving its registered agent, CT Corporation System, at 645 Lakeland East Drive, Suite 101, Flowood, Mississippi or wherever the company may be found.

4. Defendants John and Jane Does 1-10 constitute the class of organizations, companies, or individuals unknown to Plaintiff at this time that through their actions, negligence, conspiracy, concealment, or otherwise caused

Plaintiff's damage. The group includes any owners, management entities, insurance companies, managers, or employees of the above named Defendants or any entity or individual related to them or associated with this business that caused or contributed to the injuries suffered by Plaintiff.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over the claims alleged herein under the provisions of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000 , *et seq.*

6. Venue is proper in this district since the Defendants are located in this judicial district. In addition, the events and omissions giving rise to the claim occurred in this judicial district.

CAUSE OF ACTION

7. Plaintiff, ALICIA WASHINGTON, an African-American female, began her employment with Defendants, as an administrative assistant. The Plaintiff was well qualified for all positions held with the Defendants' company.

8. Plaintiff, ALICIA WASHINGTON, dealt with dangerous discrimination and sexual harassment.

9. Around 2018, the Plaintiff was an administrative assistant for Defendant, Veolia Water North America Operating Services, LLC, and the Defendant's operations manager was Shannon Moore.

10. Defendant's operations manager, Shannon Moore, and the Plaintiff became no more than friends; however, the Plaintiff would affirm and constantly re-affirm to Shannon Moore that they would have no more than a friendship. However, Shannon Moore began to flirt more and more.

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11. Around August of 2019, the Defendant's operations manager, Shannon Moore, attempted to pursue a physical relationship with the Plaintiff. Same was declined. On April 17, 2020, Shannon Moore walked past the Plaintiff and rubbed her breasts with his arm and shoulder. On April 28, 2020, the Plaintiff was asked by Shannon Moore to attend a meeting in his office, where he closed the door and had drawn the blinds. In that meeting that the Defendant's operations manager, Shannon Moore, forcefully attempted to pull her onto his lap. Plaintiff pulled away and asked him to stop. However, he did not, until after third attempt, to pull the Plaintiff towards him. Afterwards, the Plaintiff flees the office, but was afraid to tell the Defendant's project manager, Kelvin Peters, for fear that she would be fired.

12. In December of 2019 and January of 2020, the Plaintiff, ALICIA WASHINGTON, an African-American female, was subjected to the Defendant, Veolia Water North America Operating Services, LLC, project manager, Kelvin Peters, expressed to her that black people to not have slave names. He said that their names were given to them by their parents. He expressed to the Plaintiff that Jackson's Mayor was stupid for shedding his slave name and changing it, because there was "No such thing as a slave name."

13. He expressed to the Plaintiff that Jackson's Mayor was stupid for shedding his slave name and changing it, because there was "No such thing as a slave name."

14. The Plaintiff, ALICIA WASHINGTON, reported the sexual harassment and racial references to the Defendant's human resources department. And as a consequence, she was retaliated against and harassed by the Defendant, Veolia Water North America Operating Services, LLC.

15. At all times relevant and material, Plaintiff was an employee of Defendants within the meaning of Title VII. The Plaintiff left the company April, 2021.

16. In addition, Plaintiff was retaliated against in violation of Title VII of the Civil Rights Act of 1964, as amended.

17. The Defendants' actions towards the Plaintiff were done in violation of her federally protected rights.

18. The Defendants actions caused Plaintiff to suffer embarrassment, emotional distress, anxiety and stress.

19. The Defendants actions were in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 , *et seq.*

20. As a result of the Defendants' wrongful conduct, Plaintiff is entitled to an award of damages and all other available relief under Title VII of the Civil Rights Act of 1964, as amended (including, without limitation, lost wages, interest, reinstatement or front pay, emotional distress damages, attorneys' fees, litigation expenses, costs and punitive damages).

EEOC PROCEEDINGS

21. Plaintiff timely filed the Charges of Discrimination with the EEOC.

22. Plaintiff was sent her Notice of Right to Sue by the EEOC on April 16, 2021 and this civil action is timely filed. See letters which are attached hereto as collective Exhibit "A" and incorporated by reference.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for the following relief:

- a. Back pay;
- b. Front pay;
- c. Reinstatement;

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- d. Compensatory damages for emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life and other non-pecuniary losses;
- e. Past and future doctor, hospital, drug and medical bills;
- f. Interest;
- g. Punitive damages;
- h. Reasonable costs and attorneys' fees; and
- i. All other relief to which he may be entitled.

Respectfully submitted, this the 21th day of April, 2021.

For: THE PLAINTFF

/s/ DESHUN T. MARTIN

DESHUN T. MARTIN, ESQ.

OF COUNSEL:

Deshun T. Martin, Esq. (MSB #: 101526)
Vatteria M. Martin, Esq. (MSB #: 101235)
MARTIN AND MARTIN, PA
Attorneys & Counselors
228 East Capitol Street
Jackson, Mississippi 39201
Telephone: (601) 355-0955
Facsimile: (601) 355-0957
E-Mail: DTMartin@4MartinsAtLaw.com
E-Mail: VMMartin@4MartinsAtLaw.com

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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)To: **Alicia Washington**
520 Vine Drive Apt 6g
Flowood, MS 39232From: **Jackson Area Office**
Dr. A. H. McCoy Federal Building
100 West Capitol Street, Suite 338
Jackson, MS 39269☐On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

423-2020-01251**Carlene W. Collins,**
Investigator**(769) 487-6911**

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)☐

More than 180 days have passed since the filing of this charge.

☒

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**☐The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Mildred J. Stuckey

Digitally signed by Mildred J. Stuckey
DN: cn=Mildred J. Stuckey, o=Equal Employment
Opportunity Commission, ou=Jackson Area Office,
email=mildred.stuckey@eoc.gov, c=US
Date: 2021.03.10 08:46:40 -0500

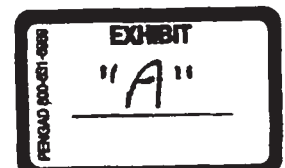
Enclosures(s)

for

Eszean S. McDuffey,
Director**March 30, 2021**

(Date Issued)

cc:

**VEOLIA NORTH AMERICA (SAVANNA WASTE WATER
TREATMENT PLANT)**
3810 I55S Frontage Rd
Jackson, MS 39212

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other provisions of State law may be shorter or more limited than those described below.)*

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope or record of receipt, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was issued to you** (as indicated where the Notice is signed) or the date of the postmark or record of receipt, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do **not** relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

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Enclosures(s)

cc: **Robert Muten**
Veolia North America
robert.muten@veolia.com
125 South 84th Street, Suite 175
Milwaukee, WI 53214

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SUMMONS

THE STATE OF MISSISSIPPI

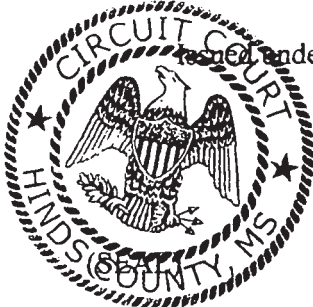
TO: VEOLIA WATER NORTH AMERICA OPERATING SERVICES, LLC
C/O: CT Corporation System
645 Lakeland East Drive Suite 101, Flowood, Mississippi 39232
Or Wherever the Business May Be Found.

NOTICE TO DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU
MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to
Deshun T. Martin or Vatterria M. Martin; Martin and Martin, PA, Attorneys & Counselors, the
attorneys for the Plaintiff, whose address is 228 East Capitol Street, Jackson, Mississippi 39201.
Your response must be mailed or delivered within thirty (30) days from the date of delivery of this
summons and complaint or a judgment by default will be entered against you for the money or
things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a
reasonable time afterward.



Respectfully signed under my hand and seal of said Court, this 21st day of April, 2021.

Hinds County Circuit Court Clerk
Hinds County, Mississippi

BY: KCaupmen